

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “capillary channels” or “capillary channel-bearing” must be shown or the feature(s) canceled from claims 1 and 6. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over FR2522270.

FR2522270 discloses an apparatus to disseminate volatile liquid comprising a reservoir 1 with volatile liquid 13; cylindrical liquid transfer member 11; and an evaporating surface comprising a rigid sheet 9 that extends laterally from the transfer member with capillary channels adapted to accept liquid from the transfer member and spread it over the surface of the sheet, see figures 1 and 2, except for the explicit recitation of the transfer member being elastically compressible in diameter. Note that the transfer member passes through the evaporating surface via a hole and transfers the liquid to the evaporating surface. It would have been obvious to one having ordinary skill in the art at the time the invention was made that the wicking element/transfer member would have to be elastically compressed or is capable of being elastically compressed in diameter in order for the transfer member to be inserted through the hole in the rigid sheet and that the wicking element/transfer member would have to expand to touch the inner surface of the hole of the rigid sheet in order to transfer the liquid from the reservoir to the evaporating surface. As to the method claim 6, the apparatus of FR2522270 would be capable of performing the method step as claimed since the transfer member would

initially be held in a compressed form prior to putting into the hole in the evaporating surface and then on release would be in liquid transfer contact with the evaporating surface.

Allowable Subject Matter

4. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hansen et al, Nomura et al, van der Heijden, O'Neil and Dearling show various types of slow diffusers with emanators and wicks.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN J. GANEY whose telephone number is (571)272-4899. The examiner can normally be reached on 9:00-5:00; Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571-272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven J. Ganey/
Primary Examiner
Art Unit 3752

sjg